IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

OP.No. 20880 of 2000(I)

PETITIONERS:
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1. M.M.THOMAS,
   'MANKOMBIL', PIZHAKU P.O., ANTHINADU,
   KOTTAYAM DISTRICT-686 655.

2. N.T.AUGUSTINE,
   'NEDUMKUMBIL', PIZHAKU P.O.,
   ANTHINADU, KOTTAYAM.

3. K.J.AUGUSTY,
   'KARIPPAKKUDIYIL', PIZHAKU P.O.
   ANTHINADU, KOTTAYAM DISTRICT.

4. P.A.ANDREWS,
   AGED 45, S/O.LATE MR.AGASTHY KUNJU,
   'PALATHINKAL', PIZHAKU P.O.
   ANTHINADU, KOTTAYAM DISTRICT-686 655.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:
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1. STATE OF KERALA,
   REPRESENTED BY ITS SECRETARY,
   DEPARTMENT OF INDUSTRIES,
   KERALA GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR & CHAIRMAN,
   GREEN CHANNEL COMMITTEE, KOTTAYAM.

3. POLLUTION CONTROL BOARD,
   REPRESENTED BY ITS SECRETARY.

4. DISTRICT MEDICAL OFFICER,
   KOTTAYAM.

5. RAMAPURAM GRAMA PANCHAYAT,
   REPRESENTED BY ITS SECRETARY,
   RAMAPURAM BAZAR P.O.,
   KOTTAYAM DISTRICT.

6. MR.JOSE JOSEPH,
   MAMPARAMHIL HOUSE, PIZHAKU P.O.
   KOTTAYAM DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN
R1,R2 & R4 BY SPECIAL GOVERNMENT PLEADER MR.C.T.RAVIKUMAR
SRI.JOE KALLIATH
SRI.K.K.CHANDRAN PILLAI
SRI.MATHAI M PAIKADAY(SR.)
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.Dattu,C.J. & K.T.Sankaran,J.

O.P.No.20880 of 2000-I

Dated, this the 3rd day of October, 2007

JUDGMENT

H.L.Dattu,C.J.

As on today, in our opinion, the reliefs sought for by the petitioners does not survive for consideration of this Court. Therefore, the Original Petition is disposed of, as having become unnecessary.

(2) However, liberty is reserved to the petitioners, if they so desire, if for any reason the industry of the 6th respondent is causing any pollution either by water, air, land and sound, to approach the appropriate authorities.

In view of the order passed in the Original Petition, C.M.P.No.34980 of 2000 is dismissed.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-